

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MARY F. LACEY)
)
Plaintiff,)
)
v.) Case No. 12-CV-00124-W-HFS
)
FDA, AMERICAN FAMILY INS. CO.,)
TRUMAN MEDICAL CENTER)
Defendants.)

ORDER

By order dated February 15, 2012, plaintiffs were granted provisional leave to proceed in forma pauperis and directed to file an amended complaint clearly setting forth the named defendants and the claims asserted against them. The amended complaint was filed on February 24, 2012, alleging a claim for personal injury due to the ingestion of Terbutaline against defendants Truman Medical Center, the FDA, and American Family Insurance.

The customary practice of this court is to require that defendant's counsel take the lead in preparing a pro se case for resolution. Therefore, upon appearance, counsel for defendants will be responsible for assuring that a discovery schedule is promptly filed in this court, and that the necessary pretrial proceedings occur in a timely fashion. This does not, however, relieve plaintiffs of their ultimate responsibility of prosecuting this case. That being said, plaintiffs are directed to familiarize themselves with the Federal Rules of Civil Procedure as well as the court's local rules, including, but not limited to, the proper procedural rules for pleadings and responses. Compliance will avoid the striking of inappropriately filed and rambling filings.

Accordingly, it is hereby

ORDERED that plaintiffs' amended complaint is accepted for filing and is deemed filed on the date it was tendered to the court, i.e. February 24, 2012. The clerk of the court shall forward appropriate process forms to plaintiffs, and within twenty days, plaintiffs shall return the completed summons and service forms to the clerk's office showing the address where defendants may be served. It is further

ORDERED that the clerk of the court issue summons and process after receiving the necessary information from plaintiffs and to deliver same to the United States Marshall for service upon defendants. The United States Marshall may first attempt service by certified mail, return receipt requested. It is further

ORDERED that the clerk of the court mail a copy of this order by regular mail, and certified mail, return receipt to plaintiffs at:

3735 Highland

Kansas City, Mo. 64109

It is SO ORDERED

/s/Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

April 6, 2012

Kansas City, Missouri